

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:) Chapter 7
)
JOHN BREUGELMANS,) Case No. **17-29532**
)
)
Debtor.) Honorable A. BENJAMIN GOLDGAR

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **Friday, January 5, 2018, at 1:00 p.m.**, I shall appear before the Honorable A. Benjamin Goldgar, Bankruptcy Judge in North Branch Court, (Round Lake Beach), 1792 Nicole Lane, Round Lake Beach, Illinois, or before any other Bankruptcy Judge who may be sitting in his place and shall present the **Motion for Rule 2004 Examination of the Debtor**, a copy of which is attached hereto and is herewith served upon you.

NOTE THAT THE PROPOSED ORDER APPENDED TO THIS MOTION MAY BE ENTERED BY THE JUDGE WITHOUT PRESENTMENT IN OPEN COURT UNLESS A PARTY IN INTEREST NOTIFIES THE JUDGE OF AN OBJECTION THERETO PURSUANT TO LOCAL RULE 9013-9(C).

/s/ Denise A. DeLaurent
Denise A. DeLaurent, Attorney
OFFICE OF THE U.S. TRUSTEE
219 South Dearborn Street, Room 873
Chicago, Illinois 60604
(312) 886-3326

CERTIFICATE OF SERVICE

I, Denise A. DeLaurent, an attorney, state that on December 18, 2017 pursuant to Local Rule 9013-1(D) the above **Notice of Motion** and the appended **Motion for Rule 2004 Examination of the Debtor** were filed and served on all parties identified as Registrants on the service list below through the Court's Electronic Notice for Registrants and, as to all other parties on the service list below, I caused a copy to be sent via First Class Mail to the address(es) indicated.

/s/ Denise A. DeLaurent

SERVICE LIST

Registrants Served Through the Court's Electronic Notice for Registrants

- Joseph E Cohen jcohen@cohenandkrol.com,
jcohen@ecf.epiqsystems.com;jcohenattorney@gmail.com;jneiman@cohenandkrol.com;acartwright@cohenandkrol.com
- John P Dickson john@dicksonlawgroup.com
- Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov
- Umair Malik amps@manleydeas.com

Parties Served via First Class Mail

John Breugelmans
10 Hidden Brook Drive
North Barrington, IL 60010

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:) Chapter 7
)
JOHN BREUGELMANS,) Case No. **17-29532**
)
)
Debtor.) Honorable A. BENJAMIN GOLDGAR

MOTION FOR RULE 2004
EXAMINATION OF THE DEBTOR

NOW COMES PATRICK S. LAYNG, the United States Trustee for the Northern District of Illinois, by his attorney, Denise DeLaurent, and moves the Court to enter an order authorizing examination of John Breugelmans (the “Debtor”) pursuant to Fed. R. Bankr. P. 2004. In support of his request, the United States Trustee states the following:

1. This is a core proceeding under 28 U.S.C. §157(b)(2)(A) which this Court may hear and determine pursuant to IOP 15(a) and LR40.3.1(a) of the United States District Court for the Northern District of Illinois and Local Rule 9013-9(A)(10).
2. Movant is the United States Trustee for the Northern District of Illinois and brings this motion pursuant to Fed. R. Bankr. P. 2004.
3. On October 2, 2017, the Debtor filed his voluntary petition for relief under Chapter 7 of the Bankruptcy Code. On or about that same time, Joseph E. Cohen was appointed Chapter 7 Trustee in the Debtor’s case.
4. The last date to object to the Debtor’s discharge under §727(a) is presently set for January 8, 2018. The U.S. Trustee has concurrently filed a motion to extend the time to object to the Debtor’s discharge.

5. The Debtor's Schedule D lists \$2,567,526.23 in secured claims and Schedule E/F shows \$60,158.52 in general unsecured debt.

6. The Debtor's Schedule I lists \$10,000 in monthly business income or \$120,000.00 annually.

7. On October 11, 2017 a docket entry was entered identifying this case as Selected for Audit. A Report of Audit with Material Misstatement was filed on December 8, 2017

7. The U.S. Trustee needs to verify information on the Debtor's Schedules and Statement of Financial Affairs. In order to do so, the U.S. Trustee needs to elicit information from the Debtor under Fed. R. Bankr. P. 2004(c), including the production of documents and attendance and testimony at a 2004 examination.

WHEREFORE, the U.S. Trustee requests the Court to enter an order authorizing the United States Trustee to conduct an examination of the Debtor under Fed. R. Bankr. P. 2004, and for such other relief as is just.

RESPECTFULLY SUBMITTED:

PATRICK S. LAYNG
UNITED STATES TRUSTEE

DATED: December 18, 2017

BY: /s/ Denise A. DeLaurent
Denise A. DeLaurent, Attorney
OFFICE OF THE U.S. TRUSTEE
219 South Dearborn Street, Room 873
Chicago, Illinois 60604
(312) 886-3326